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9 **Attorneys for Defendants**
10 **PNC BANK, NATIONAL ASSOCIATION,**
11 **as successor by merger to NATIONAL**
12 **CITY BANK previously dba "NATIONAL**
13 **CITY MORTGAGE"**

14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

16 **STEVEN YEAGER and MARINA LUNA,**

17 **Plaintiffs,**

18 **v.**

19 **PNC MORTGAGE, a Delaware LLC dba**
20 **NATIONAL CITY MORTGAGE, and DOES**
21 **1 to 25, inclusive,**

22 **Defendants.**

Case No. 3:10-CV-01195 SI

(Sonoma Superior Court No.: SCV 246724)

**STIPULATION AND ORDER CONTINUING
HEARING ON DEFENDANT PNC BANK,
NATIONAL ASSOCIATION'S MOTION TO
DISMISS FIRST AMENDED COMPLAINT**

23 **TO ALL PARTIES HEREIN AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:**

24 This Stipulation is made by and between Plaintiffs STEVEN YEAGER and MARINA
25 LUNA ("Plaintiffs") and Defendant PNC BANK, NATIONAL ASSOCIATION ("PNC") by and
26 through their respective counsel of record. Plaintiffs and PNC agree and stipulate as follows:

- 27 A. The hearing on PNC's motion to dismiss the First Amended Complaint is currently
28 set for October 1, 2010.
- B. On or about September 7, 2010, PNC's counsel agreed that the hearing on PNC's
motion to dismiss the First Amended Complaint should be continued to October 22,
2010.

WHEREFORE, Plaintiffs and PNC agree and stipulate that the hearing on PNC's motion to dismiss the First Amended Complaint should be continued to October 22, 2010, with all deadlines for related pleadings including any opposition or reply reset accordingly.

DATED: September 8, 2010

WOLFE & WYMAN LLP

By: /s/ Joshua M. Bryan (SBN 225230)

STUART B. WOLFE

JOSHUA M. BRYAN

ATTORNEYS FOR DEFENDANT

PNC BANK, NATIONAL ASSOCIATION

DATED: September 8, 2010

HENDRICKSON LEGAL SERVICES

By: /s/ John Hendrickson (SBN 257298)

JOHN HENDRICKSON

Attorney for Plaintiffs

STEVEN YEAGER and

MARNIA LUNA

ORDER ON STIPULATION

The Court, having reviewed the stipulation of Plaintiffs and PNC BANK, NATIONAL ASSOCIATION ("PNC"), and good cause appearing therefore, ORDERS that the hearing on PNC's motion to dismiss the First Amended Complaint is hereby continued to October ²⁶~~22~~, 2010, with all deadlines for related pleadings including any opposition or reply reset accordingly.

IT IS SO ORDERED.

DATED: _____



JUDGE OF THE DISTRICT COURT